

03/06/2006 16:55 FAX 13124635001
12/05/2005 16:47 FAX 13124635001

BANNER & WITCOFF
BANNER & WITCOFF

032/032
001

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 2501
RECIPIENT ADDRESS 1888#011738#00149#15712738300
DESTINATION ID
ST. TIME 12/05 16:38
TIME USE 08'54
PAGES SENT 27
RESULT OK

DEC 5 PM 4:53



BANNER & WITCOFF, LTD.
INTELLECTUAL PROPERTY LAW

10 SOUTH WACKER DRIVE, SUITE 3000
CHICAGO, ILLINOIS 60606

TEL: 312.463.5000
FAX: 312.463.5001
www.bannerwitcoff.com

FACSIMILE TRANSMITTAL SHEET

TO: U.S. Patent And Trademark Office **FROM:** Binai J. Patel

COMPANY: Mail Stop AMENDMENT **DATE:** December 5, 2006

FAX NO.: 571-273-8300 **TOTAL NO. OF PAGES:** (Including cover sheet) 27

YOUR REFERENCE NO.: 011738.00149 **OUR REFERENCE (C/M) NO.:**

RE: Filing Of Response/Amendment and 1 month extension of time For U.S. Serial No. 10/687,344
Application Of Osorio, et al.
Filed October 15, 2003
Title: Screening Techniques For Management Of A Nervous System Disorder

If you do not receive all page(s) or have any problems receiving this transmission, please call:

NAME: Kathy Kessling **PHONE:** 312-463-5505

COMMENTS:

RECEIVED
CENTRAL FAX CENTER

001/032

BANNER & WITCOFF, LTD.
INTELLECTUAL PROPERTY LAW

MAR 06 2006

TEN SOUTH WACKER DRIVE, SUITE 3000
CHICAGO, IL 60606-7407TEL: 312.715.1000
FAX: 312.715.1234
www.bannerwitcoff.com**FACSIMILE TRANSMITTAL SHEET**

To: USPTO FROM: S Sheldon
 COMPANY: MS. AMENDMENT DATE: 3/6/06
 FAX NUMBER: 571-273-8300 TOTAL NO. OF PAGES: 28 - 32
 YOUR REFERENCE No.: 011738.00149 OUR REFERENCE (C/M) No.:
 RE:

If you do not receive all page(s) or have any problems receiving this transmission, please call:

NAME: Klessig PHONE: 312-463-5105

COMMENTS:

Response to Notice of
Non-Compliant Trademark

IMPORTANT/CONFIDENTIAL: This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of BANNER & WITCOFF, LTD. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

CHICAGO

WASHINGTON, D.C.

BOSTON

PORTLAND, OR



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,344	10/15/2003	Ivan Olorio	011738.00149	7817
22908	7590	02/24/2006		
BANNER & WITCOFF, LTD. TEN SOUTH WACKER DRIVE SUITE 3000 CHICAGO, IL 60606			EXAMINER ASTORIA, MIHAEL C	
			ART UNIT 3736	PAPER NUMBER

DATE MAILED: 02/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

11738.00149 *✓*
DOCKETED
Not. of No. 1 Compliance
MAR 01 2006 REC'D.

Reg. Due: 3/26/06
BANNER & WITCOFF

REC'D. MAR 01 2006
BANNER & WITCOFF
DOCKETING

Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No.	Applicant(s)
	10/687,344	OSORIO ET AL.
	Examiner	Art Unit
	Michael C. Astorino	3736



Michael C. Astorino
571-272-4723

Continuation Sheet (PTOL-324)

Application No.

The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The amendment document filed on 09 November 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
 - A. Amended paragraph(s) do not include markings.
 - B. New paragraph(s) should not be underlined.
 - C. Other _____
- 2. Abstract:
 - A. Not presented on a separate sheet. 37 CFR 1.72.
 - B. Other _____
- 3. Amendments to the drawings:
 - A. The drawings are not properly identified in the top margin as "Replacement Sheet" "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - B. The practice of submitting proposed drawing correction has been eliminated. Replace new drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - C. Other _____
- 4. Amendments to the claims:
 - A. A complete listing of all of the claims is not present.
 - B. The listing of claims does not include the text of all pending claims (including withdrawn claims) of each claim cannot be identified. Note: the claim number is the individual identifier number by using one of the following status identifiers: (Original), (Currently amended), (Cancelled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - C. D. The claims of this amendment paper have not been presented in ascending numerical order.
 - E. Other: _____
- 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

The response was submitted by fax. The faxed document received including the claims and response was of poor quality. Specifically, certain characters were missing from the documents. The applicant should re-file the response by mail or from a fax machine that will transmit the document properly.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted.
2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
 Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Part of Paper No. 0610

U.S. Patent and Trademark Office
PTOL-324 (01-06)

Notice of Non-Compliant Amendment (37 CFR 1.121)

USPTO 12/5/2005 5:51 PM PAGE 1/003 Fax Server
 TO: Auto-reply fax to 13124635001 COMPANY:



Auto-Reply Facsimile Transmission

TO: Fax Sender at 13124635001

Fax Information
 Date Received: 12/5/2005 5:41:08 PM [Eastern Standard Time]
 Total Pages: 27 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
 Cover
 Page
 =====>

12/05/2005 16:31 FAX 13124635001		BANNER & WITCOFF	005/032
 BANNER & WITCOFF, LTD. <small>INTELLECTUAL PROPERTY LAW</small> 10 SOUTH WACKER DRIVE, SUITE 3000 CHICAGO, ILLINOIS 60606 TEL: 312.463.6000 FAX: 312.463.6061 www.bannerwitcoff.com			
FACSIMILE TRANSMITTAL SHEET			
TO:	FROM:		
U.S. Patent And Trademark Office	Binal J. Patel		
COMPANY:	DATE:		
Mail Stop AMENDMENT	December 5, 2005		
FAX NO.:	TOTAL NO. OF PAGES: Including cover sheet		
671-273-8300	27		
YOUR REFERENCE NO.:	OUR REFERENCE (CIS) NO.:		
011736.00149			
FILED: Filing Of Response/Amendment and 1 month extension of time for U.S. Serial No. 10/607,344 Application Of Charlie, et al. Filed October 15, 2003 Title: Screening Techniques For Management Of A Nervous System Disorder			
If you do not receive all page(s) or have any problems receiving this transmission, please call			
NAME:	PHONE:		
Kathy Keating	312-463-6505		
COMMENTS:			
<small>Appropriate use of this message or its communication is strictly prohibited. If you have received this communication in error, please return, destroy, or copy it to the communication is strictly prohibited. If you have received this communication in error, please return, destroy, or copy it to the communication is strictly prohibited. We will be happy to arrange for the return of this message to our offices at your earliest convenience.</small>			
CHICAGO	WASHINGTON, D.C.	BOSTON	PORLAND, OR
PAGE 1/03 * RCVD AT 12/05/2005 5:11:08 PM Eastern Standard Time * SVR:USPTO-EFXRF-6/5 * DNIS:2738300 * CSID:13124635001 * DURATION (mm:ss):28-18			

P1 0/6B/21 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/887,344

Filing Date

October 15, 2003

First Named Inventor

Osorio, et al.

Art Unit

3738

Examiner Name

Michael C. Astorino

**RECEIVED
CENTRAL FAX CENTER**
MAR 6 2006

Attorney Docket Number

011738.00149

ENCLOSURES (check all that apply)

 Fee Transmittal Form Fee Attached Amendment / Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) _____ Landscape Table on CD After Allowance Communication to TC Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s)
(please identify below):

Fax Cover sheet

Remarks: The Commissioner is authorized to charge any fees in connection with this correspondence to Deposit Account No. 19-0733. A duplicate of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm

Banner & Witcoff, LTD.

Signature

Printed Name

Binal J. Patel

Date

December 5, 2005

Reg. No.

42,065

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Thomas Wilson

Date

December 5, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including the gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE F FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTC 'SB/21 (09-04)
Approved for use through 07/31/2006. GVB 0561-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

Application Number	10/687,344
Filing Date	October 15, 2003
First Named Inventor	Osorio, et al.
Art Unit	3736
Examiner Name	Michael C. Astorino

RECEIVED
CENTRAL FAX CENTER
MAR 06 2006

(Initials or signature for all correspondence after initial filing)

ENCLOSURES (check all that apply)

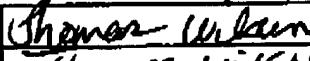
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Fax Cover sheet
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> Landscape Table on CD
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks: The Commissioner is authorized to charge any fees in connection with this correspondence to Deposit Account No. 19-0733. A duplicate of this sheet is enclosed.	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Banner & Witcoff, LTD.		
Signature			
Printed Name	Binal J. Patel		
Date	December 5, 2005	Reg. No.	42,065

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature		Date	December 5 2005
Typed or printed name	Thomas Urban		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (an application). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-8799 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fee pursuant to the Consolidated Appropriations Act, 2006 (H.R. 4818).

FEE TRANSMITTAL for FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 320.00)

Complete if Known	
Application Number	10/687,344
Filing Date	October 15, 2003
First Named Inventor	Osorio, et al.
Examiner Name	Michael C. Astorino
Art Unit	3736
Attorney Docket No.	011738.00149

RECEIVED
CENTRAL FAX CENTER

MAR 06 2006

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify) :

Deposit Account Deposit Account Number: 19-0733 Deposit Account Name: Banner & Witcoff, LTD.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments

Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
Utility	300	150	500	250	200	100	—
Design	200	100	100	50	130	65	—
Plant	200	100	300	150	160	80	—
Reissue	300	150	500	250	600	300	—
Provisional	200	100	0	0	0	0	—

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Sm. Ent. Fee (\$)	Fee (\$)
- 20 or HP=	x	=		50	25

100 - 100 = / 50 = (round up to a whole number) x

Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
200	100	—
360	180	—

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : Petition for One Month Extension of Time

120.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	42,065	Telephone	12-463-5000
Name (Print/Type)	Binal J. Patel	Date	December 5, 2005		

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 20 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-787-9199) and select option 2.